

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
June 5, 2001

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:00 p.m., Tuesday, June 5, 2001, in the Board Room, York Hall, by Chairman James S. Burgett.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and H. R. Ashe.

Also in attendance were James O. McReynolds, County Administrator; and James E. Barnett, County Attorney.

Invocation. Adam Parker, York County Youth Commission, gave the Invocation.

Pledge of Allegiance to the Flag of the United States of America. Chairman Burgett led the Pledge of Allegiance.

## **PRESENTATIONS**

### EMPLOYEE RECOGNITION PROGRAM

Chairman Burgett recognized and congratulated James Rindfleisch, Department of Environmental and Development Services, on attaining 20 years of service with York County, and he presented Mr. Rindfleisch with his 20-year service pin and certificate.

Mr. Tom Gallagher made a short presentation regarding Mr. Rindfleisch's tenure with the County.

### YORK COUNTY YOUTH COMMISSION

Mr. Daniel Shean, Chairman of the York County Youth Commission, gave the last quarterly report of the 2000-2001 Youth Commission. He reviewed the activities/involvement of the Commission during the quarter, including:

Zweibrucken Student Exchange Program

Daily Press Youth Forum

Youth Commission Logo Contest

Donation of funds to Operation Smile and the York County Women's Food Closet

Trash Pickup Project

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Mr. Shean extended the gratitude and thanks of the entire membership to Mr. Rick Smethurst and Mrs. Diane Fulton for their guidance during the past year, and to Mr. Burgett and Mr. Ashe for their support.

Mr. Ashe indicated the Youth Commissioners this past year did a tremendous job, and it was a pleasure and an honor to work with such an intelligent and talented group of young people

Chairman Burgett then reviewed the list of accomplishments of the 2000-2001 Youth Commission that took place during the first three quarters of the year. He and Mr. Ashe then presented each of the Commissioners with copies of Resolution R01-74 adopted by the Board of Supervisors on May 15, 2001, commending them on their service to the County.

Chairman Burgett next introduced and welcomed the following members of the 2001-2002 Youth Commission who were appointed on May 8, 2001:

<u>Name</u>	<u>Election District</u>
Alexandra Hanson	1
David Horres	1
Chrissy Pinnell	1
William Dowis	2
LeeAnn Merritt	2
Shamus Williams	2
Amy Loveless	3
Benjamin McFarlane	3
James Noel, III	3
Arrion Dennis	4
John Horsley	4
Lindsay Jones	4
Christopher Fairman	5
Tara Smiddy	5
Ryan Touhill	5

**CITIZENS COMMENT PERIOD**

Mr. Henry B. Robertson, II, 115 Colonial Avenue, spoke concerning the need for improved water service to the Nelson Park and Charleston Heights area. He indicated a couple of weeks ago there was a house fire, but there was inadequate water flow in the fire hydrant located across the street from the burning house. Water was finally located at Hubbard's Lane. He stated the neighborhood is supplied with water by 2-inch lines, and state and federal codes require fire hydrants to be served by no less than 6-inch lines. Mr. Robertson indicated he understood that the area was on the list for upgrading, but that they were a low priority. He asked the Board to move this area up on the priority list and get the lines upgraded sooner than scheduled.

Mr. John Long, 112 Scott Drive, also spoke concerning the need for improved water service to the Nelson Park, Charleston Heights, Queens Lake areas. He stated he had talked with the County staff and the water company several times, but nothing has been done except to record the highs and lows on his water meter. He appealed to the Board to give the residents some help with this problem or point them in the right direction. He stated all the citizens pay taxes to have the same kinds of services, but this area is falling short on water service.

Mrs. Bonnie Karwac, representing the York County Historical Committee, asked for the Board's support to the Historical Committee this evening by adopting the proposed resolution to provide funding for the completion of the cleaning and cataloging project for the Chischiak artifacts. She noted that a grant was received from the Yorktown Foundation for half of the needed funding. Mrs. Karwac then indicated that Mr. Fesler would show the Board some photos of the dig and some of the artifacts that were found at Chischiak.

Mr. Garrett Fesler, 110 Shirley Avenue, Williamsburg, indicated he was site supervisor of the Chischiak dig. He stated the site represents almost all of the landmark events that took place in Yorktown, and he displayed photographs of the dig and artifacts recovered. He invited interested persons to view the artifacts he brought with him this evening that he had set up in the vestibule.

Mrs. Addie Jeanette Carter, 819 Baptist Road, spoke of shooting instances in her neighborhood in Lackey, stating she did not understand why it was happening. She asked the Board to help stop the random shooting of cable and telephone lines. Mrs. Carter also mentioned trouble she was having with access to her personal computer.

Mr. Robert Holloway, 301 Ryans Way, applicant for the no wake sign on this evening's agenda, spoke regarding his application, and he presented the Board with additional information concerning it. He spoke of the problem with jet skis and pleasure boats speeding up and down the Poquoson River. He noted he believed a no wake sign will be respected by competent boaters and will make it easier to enforce the actions of those who are less competent.

Mr. Daniel Morris, 118 Larkin Run, also spoke concerning the request for a no wake sign on the Poquoson River. He stated he was opposed to any restrictions on any personal watercraft on the Poquoson River and the establishment of a no wake sign. He stated there was already a no wake zone near the boat ramp to the west of it. He stated he felt that mandatory education would be a solution for many of the problems, but the key is enforcement in the area.

Mr. Chris Valentine, 206 Hollywood Boulevard, requested that the Board disapprove the no wake sign request. He stated he agreed with Mr. Morris that a sign was not going to do anything. There were several signs in the area already, and it is an enforcement problem. Mr. Valentine stated that when one lived on the water, they were taking a risk with erosion; and it was their responsibility to put up rip rap or do what they have to do to protect their property.

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He agreed the problem was a lack of enforcement. He stated if the Board members approved the application, they would be hurting more people than they would be helping.

Mr. James R. Haas, 618 Showalter Road, spoke in opposition to the no wake sign request. He stated he did not believe the problem was wake or damage from wake. He stated he felt the problem was bad behavior on the part of a few people, and a no wake sign was not a remedy in this case. He stated it would be a tremendous enforcement problem, and it would be a losing proposition to try to solve the problem of irresponsible behavior. Mr. Haas stated a no wake sign will have an adverse impact on the people who live on the river, and they should have the right to enjoy their watercraft and their own property.

Mr. Frank Alvarado, 710 Tide Mill Road, spoke in favor of the no wake sign. He stated he was not against boating, but in the past there has been a lot of problems with traffic on Tide Mill Road as well as speeding and the bad behavior of people parking at the Rodgers Smith Landing.

Ms. Sarah Williams, 139 Sheppard Drive, noted it was her neighbor's house that burned down because there wasn't sufficient water flow in the hydrant across the street from the house. She stated the resident was an elderly woman who was fortunate to make it out of the house. Ms. Williams stated that after talking with the Sydnor representative and the County, she felt there was a shared responsibility to correct the situation. She expressed her hope that the Board of Supervisors would take an interest in correcting the situation and take responsibility to effectively do something to correct the problem.

Meeting Recessed. At 7:55 p.m. Chairman Burgett declared a short recess.

Meeting Reconvened. At 8:01 p.m. the meeting was reconvened in open session by order of the Chair.

## **PUBLIC HEARINGS**

### **LEASE AGREEMENT WITH CHILD DEVELOPMENT RESOURCES, INC.**

Mrs. Anne B. Smith, Director of Community Services, made a presentation on proposed Resolution R01-50 to authorize the execution of a lease agreement with Child Development Resources, Inc., for the operation of an early childhood care and developmental service in the Griffin-Yeates Building.

A brief discussion took place concerning the waiting list for the facility.

Chairman Burgett called to order a public hearing on proposed Resolution R01-50 that was duly advertised as required by law and is entitled:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE A LEASE AGREEMENT WITH CHILD DEVELOPMENT  
RESOURCES, INC., A NONPROFIT VIRGINIA CORPORATION, FOR  
THE OPERATION OF AN EARLY CHILDHOOD CARE AND DEVELOPMENTAL  
SERVICE IN THE GRIFFIN-YEATES BUILDING LOCATED ON GOVERNMENT ROAD

There being no one present who wished to speak concerning the subject resolution, Chairman Burgett closed the public hearing.

A brief discussion took place on how the effectiveness of the First Steps program was measured in order to determine if its objectives were being met.

Mrs. Noll then moved the adoption of proposed Resolution R01-50 that reads:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A LEASE AGREEMENT WITH CHILD DEVELOPMENT RESOURCES, INC., A NONPROFIT VIRGINIA CORPORATION, FOR THE OPERATION OF AN EARLY CHILDHOOD CARE AND DEVELOPMENTAL SERVICE IN THE GRIFFIN-YEATES BUILDING LOCATED ON GOVERNMENT ROAD

WHEREAS, it is in the public interest to continue to make available an early childhood educational experience and positive learning opportunities on behalf of economically disadvantaged and other qualified County citizens; and

WHEREAS, Child Development Resources, Inc., a nonprofit Virginia corporation, has provided such services by operation of a program, called First Steps; and

WHEREAS, the County desires to lease approximately 2,500 square feet of classroom and office space identified as Tenant Rooms 10, 12, 13, and 15, within the Griffin-Yeates Building located at 1490 Government Road, which is a building owned by the County of York, by the execution of a lease agreement for a term of one year; and

WHEREAS, a public hearing on the proposed lease agreement, as required under the Code of Virginia, has been properly advertised and conducted on June 5, 2001;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 5<sup>th</sup> day of June, 2001, that the County Administrator be, and he is hereby, authorized to execute an agreement, approved as to form by the County Attorney, with Child Development Resources, Inc., to provide the lease of approximately twenty-five hundred (2,500) square feet identified as Tenant Rooms 10, 12, 13, and 15, Griffin-Yeates Building, along with the right to use certain common areas of the building and grounds, for the operation of the *First Steps* program for the term July 1, 2001, until June 30, 2002 and in consideration of the sum of one dollar (\$1.00).

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Ashe, Burgett  
Nay: (0)

APPLICATION NO. CP-7-01, YORK COUNTY PLANNING COMMISSION

Mr. J. Mark Carter, Planning and Zoning Manager, made a presentation on Application No. CP-7-01 to amend the York County Comprehensive Plan in order to provide consistency with the Chesapeake Bay Preservation Act and regulations. He discussed replacement pages to the

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amended Plan that had been provided to the Board members earlier and asked that they be included in the adoption of the ordinance. He also asked that the Plan date as noted in the ordinance be amended to read May 21 instead of May 22. The Planning Commission considered the application and forwarded it to the Board of Supervisors with a recommendation of approval, and staff recommended approval of the application through the adoption of proposed Ordinance No. 01-8(R).

Mr. Wiggins asked if the County was provided with any implementation funding when the Chesapeake Bay Preservation Act was passed by the General Assembly.

Mr. Carter stated that although the requirement was mandated by the state, no funding was provided for its implementation. He stated some planning grant money was received to help staff in developing one aspect of the regulations.

Mr. Wiggins indicated a big problem he saw dealt with docks and piers and the state's encouragement for localities to encourage cluster developments. He asked if the County staff would be trying to get developers wishing to build single-family housing to build cluster developments instead.

Mr. Carter stated it was one of the goals of the Chesapeake Bay Local Assistance Board. Locally, cluster development is an encouraged type of development because it is very advantageous for the developer in many instances when a piece of property has some environmental concerns on it. From that respect, staff does encourage cluster development. It sometimes results in some common area created along the water; and in the course of meeting with the developer, staff can suggest that the common area might be a good place for a community pier. Mr. Carter stated nothing was mandatory, but it was a matter of the discussion and process of reviewing the development in working with the developer. He noted that County staff was actually already doing what the Act was requiring.

Discussion took place on the attributes of a cluster development.

Mr. Wiggins asked whether having one main pier for several families was any less of an impact on the environment than each family having its own pier.

Mr. Joe Sisler, Department of Environmental and Development Services, indicated that the Bay Act was trying to protect the amount of aquatic grass and the shading of aquatic grass. In terms of construction, when one large pier is built, the shoreline is only damaged once. There is more impact with the construction of more piers. Mr. Sisler reiterated that staff was only encouraging cluster development.

Mr. Ashe asked if the encouragement was through credits of some sort.

Mr. Carter stated the encouragement was only by virtue of the common space that was likely to be developed from a cluster development and because all of the lots in the development would have access to the pier.

Mrs. Noll stated the County was fulfilling its obligation to the Bay Act by advising the developers that cluster development was an alternative for consideration.

Chairman Burgett then called to order a public hearing on Application No. CP-7-01 that was duly advertised as required by law. Proposed Ordinance No. 01-8(R) is entitled:

AN ORDINANCE TO ADOPT AMENDMENTS TO THE COMPREHENSIVE PLAN FOR CONSISTENCY WITH THE CHESAPEAKE BAY PRESERVATION ACT AND REGULATIONS

There being no one present who wished to speak concerning the application, Chairman Burgett closed the public hearing.

Mrs. Noll then moved the adoption of proposed Ordinance No. 01-8(R) that reads:

AN ORDINANCE TO ADOPT AMENDMENTS TO THE COMPREHENSIVE PLAN FOR CONSISTENCY WITH THE CHESAPEAKE BAY PRESERVATION ACT AND REGULATIONS

WHEREAS, the Chesapeake Bay Preservation Act requires local governments in the Bay watershed to amend their comprehensive plans for consistency with regulations established by the Chesapeake Bay Local Assistance Board; and

WHEREAS, York County must amend its comprehensive plan by June 30, 2001, to comply with this requirement; and

WHEREAS, the York County Planning Commission has sponsored Application No. CP-7-01 to amend the comprehensive plan; and

WHEREAS, said application has been forwarded to the Planning Commission in accordance with applicable procedure; and

WHEREAS, the Commission, after conducting a duly advertised public hearing, has certified the proposed amendments and recommends their adoption in accordance with the procedures set forth in §15.2-2225 of the Code of Virginia; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on the proposed amendments; and

WHEREAS, the Board of Supervisors has carefully considered the public comments with respect to these amendments;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the 5<sup>th</sup> day of June, 2001 that the report entitled Charting the Course for the Chesapeake Bay: An Update to the County of York Comprehensive Plan, dated May 21, 2001, and including replacement pages distributed on June 5, 2001, be, and it is hereby, adopted as an amendment to Charting the Course to 2015: The County of York Comprehensive Plan, subject to revision of the following statements to read:

Environmental Strategy 2.4.

*Encourage the School Division to provide, beginning with the class of 2005, a meaningful Bay or stream outdoor experience, such as a field trip, for public school students in accordance with the Chesapeake 2000 Agreement.*

Utilities Strategy 8.2

*Investigate and consider, to the extent authorized by the Code of Virginia, the adoption of a local ordinance requiring existing households to connect to available water systems in the event of private well failure.*

On roll call the vote was:

Yea: (5) Noll, Wiggins, Ashe, Zaremba, Burgett  
Nay: (0)

## **COUNTY ATTORNEY REPORTS AND REQUESTS**

Mr. Barnett indicated he had nothing to report to the Board at this time.

## **COUNTY ADMINISTRATOR REPORTS AND REQUESTS**

Mr. McReynolds reminded the Board members of the upcoming work session scheduled for June 12 and the employee picnic to be held June 13 at the Park Service picnic area on the Yorktown Beach. He then provided the Board with information concerning the response of the Department of Fire and Life Safety to the fire in Nelson Park that was spoken of earlier in the meeting. He discussed the Strategic Utilities Capital Plan, noting that the County was in the process of upgrading or installing water systems in the areas of the County that need them. The criteria considered in ranking the areas include public health, public safety, water quality, and impact on the growth of the County population. He stated the Nelson Park area was not included in the current 6-year Capital Improvements Plan in that there are other areas in the County that rank higher in need than this particular area. If some of the higher ranked areas indicate they do not wish to have public water, a lower ranked area could move ahead on the list. Mr. McReynolds also reported that over the last several months the County had been working with Sydnor on pressure problems, and within the next 30 days some meters should be moved to improve water pressure in the area. He stated this would not make any significant difference to fire flows.

Mr. Zaremba indicated it had been noted that there was an alternative water supply in Queenswood, and he asked how far it was from there to the site of the fire.

Mr. Stephen P. Kopczynski, Fire Chief, spoke concerning the four hydrants on the Sydnor system in the subject area. As a matter of general practice, the County does not rely on those hydrants. County personnel elected to check the flow from the hydrant on Shepperd Drive, and it did not have sufficient flow. They then went to the one on Queenswood that was about 1,200 feet away. He noted there are some other streets where hydrants are located within a reasonable reach of the hose lines that are typically carried on the pumpers. Chief Kopczynski stated the total incident was taken care of with less than the water that was carried on the pumper, and water from the hydrants was not actually needed.

Mr. Zaremba stated that County staff has been working with Sydnor for the past six years to get something done, and his problem was that the County was allowing the situation with the unsatisfactory water service to continue. He asked the County Attorney whether or not there was anything in the state code that required the fire hydrants to work on a water system that had them installed.

Discussion followed on fire suppression methods and experiences with other fires in terms of water supply.



Mr. John Hudgins, Director of Environmental and Development Services, stated the fire hydrants installed in the Nelson Park area were never meant to meet fire flow needs. The problem is that all the meters are located in the southern end of the County, and staff is in the process of moving some of the meters to the northern end to help with water pressure. He stated that until the entire system is changed out, there will never be fire flow adequate to provide fire protection to this area.

Mr. Ashe suggested that some sort of color code be placed on these hydrants to let the Fire and Life Safety personnel know by sight that they are inadequate for fire flow.

Chief Kopczynski indicated the department has addressed that suggestion and plans to take action to sight identify these hydrants. He also noted this area is the only one in the County where there are full-sized hydrants that do not provide adequate flow.

### **MATTERS PRESENTED BY THE BOARD**

Mr. Ashe announced to the citizens of his district that he would be conducting a town meeting in the Tabb High School Auditorium at 7:00 p.m. on June 25, and he asked Mr. McReynolds to provide staff at that meeting to discuss zoning regulations and drainage regulations and provide an update on the drainage study.

Mrs. Noll announced that this week was Hurricane Awareness Week, and she asked that the brochures on this topic be placed in the Information Office and in the County Administrator's Office. She encouraged residents to read the information and prepare their homes and families for the hurricane season. Mrs. Noll indicated she was happy to see that Russell and Kay Lanes were finally coming up on the Dirt Street Program, and she encouraged the other Board members to act positively on the resolution contained in this evening's agenda package. She then noted that Memorial Day was very special in York County this year because the Historical Committee unveiled its Memorial to the War Dead of York County and Poquoson. She commended the members of the Historical Committee for their excellent work and attention to detail on this project. Mrs. Noll noted that on Memorial Day Mrs. Marge Funk, wife of former Supervisor Jim Funk, passed away. She stated Mrs. Funk was always very proud of the fact that she was a part of the Historical Committee and was a very integral part of the committee's activities while she served. Mrs. Funk also served on the Thomas Nelson Community College Board, and the Governor had appointed her to the State College Board. Mrs. Noll expressed her deepest sympathies to the Funk family.

Mr. Zaremba noted that in September the Board would review the County's Strategic Capital Utilities Plan for water and sewer projects. He stated the projects contained in the Plan were based on priorities set by established criteria. He mentioned an article in the Daily Press on graffiti, stating the Board was very disturbed by the fact that graffiti is being used in York County. He stated the County has certain ways to insure that property owners maintain their property as the County can ill-afford businesses that abandon their sites. Another problem Mr. Zaremba discussed was parking along Water Street in Yorktown. He displayed photographs provided to him by a citizen of the condition of the lots on Water Street and the new lot behind York Hall, and he suggested that more needed to be done to get the word out that the lot at York Hall was available. Mr. Zaremba then mentioned a recent comment by the Parks and Recreation Advisory Board that the members do not feel they are in the loop with respect to issues dealing with parks and recreation issues, and he noted they have asked for more involvement. A work session has been scheduled with them in late July, and Mr. Zaremba noted

the Board of Supervisors did want the Parks and Recreation Advisory Board's involvement and would do whatever was necessary to make sure they were in on issues at the front end.

Mrs. Anne B. Smith, Director of Community Services, noted that the members of the Parks and Recreation Advisory Board were encouraged all the time to come and speak before the Board whenever they wished to, either individually or collectively. She stated the staff encourages them to take advantage of all opportunities to provide input to the Board of Supervisors.

Mr. Zaremba stated that New Quarter Park had been open since Memorial Day, and the County has just received delivery on a number of picnic tables that will be placed there in the next few weeks. He stated the park was open seven days a week from sun-up to sun-down, and he listed some of the facilities and activities provided at the park. Mr. Zaremba encouraged the citizens to take advantage of this facility.

Mr. Wiggins stated he represents the Board on the Yorktown Day Association, and he was very impressed during its May 21 meeting with the organization and planning for the upcoming Yorktown Day celebration. He then reminded the Drainage Committee members of the meeting scheduled for June 7. He also expressed his wish that the Board would consider keeping the committee active for future need. He stated the committee members have done a wonderful job, and a presentation would be made to the Board of Supervisors with the Committee's recommendations to remedy the County's drainage problems very soon. He thanked all the staff members involved for doing such a great job in supporting the committee.

Chairman Burgett noted it had been a very busy month for him. Business Appreciation Week was recognized at the Watermen's Museum and was a very successful event. The Heritage Celebration was also held at the Watermen's Museum that was attended by several thousand people. He noted that York County had hosted the latest Peninsula Mayors and Chairs meeting at the Watermen's Museum Carriage House on May 21, and Student Local Government Day activities were held on May 22. Chairman Burgett stated that on Memorial Day the dedication ceremony for the War Memorial was a wonderful experience and very well done. He stated Mr. Tim Smith was an outstanding host, and there was standing room only for the event. The Senior Citizens Center grand opening was held. Chairman Burgett noted that the Center had 16,000 visitors during the past year, and it is an excellent facility. He also indicated that this was the week for the DARE graduations, and he expressed his wish that all Board members attend one of them.

### **CONSENT CALENDAR**

Mr. Zaremba asked that Item No. 10 be removed from the Consent Calendar.

Mrs. Noll moved that the Consent Calendar be approved as amended, Item Nos. 3, 4, 5, 6, 7, 8, 9, and 11, respectively.

On roll call the vote was:

Yea: (5) Wiggins, Ashe, Zaremba, Noll, Burgett  
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 3. APPROVAL OF MINUTES

The minutes of the following meetings of the York County Board of Supervisors were approved:

May 1, 2001, Regular Meeting  
May 8, 2001, Adjourned Meeting

Item No. 4. PURCHASE AUTHORIZATION: Resolution R01-111

A RESOLUTION TO RECHASSIS AND REFURNISH AN AMBULANCE  
FOR THE DEPARTMENT OF FIRE AND LIFE SAFETY

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurement is necessary and desirable, that it involves the expenditure of \$30,000 or more, and that it complies with all applicable laws, ordinances, and regulations;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5<sup>th</sup> day of June, 2001, that the County Administrator be, and he is hereby, authorized to conclude procurement arrangements for the following:

	<u>AMOUNT</u>
Rechassis/Refurbish Ambulance	\$67,506

Item No. 5. CHILD DEVELOPMENT RESOURCES, INC., SUPPORT AGREEMENT: Resolution R01-52

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE A SUPPORT AGREEMENT WITH CHILD DEVELOPMENT  
RESOURCES, INC., A NONPROFIT VIRGINIA CORPORATION,  
FOR THE OPERATION OF EARLY CHILDHOOD CARE AND DEVELOPMENTAL  
SERVICE IN THE GRIFFIN-YEATES CENTER LOCATED  
ON GOVERNMENT ROAD

WHEREAS, it is in the public interest to continue to make available an early childhood educational experience and positive learning opportunities on behalf of economically disadvantaged and other qualified County citizens; and

WHEREAS, Child Development Resources, Inc., a nonprofit Virginia corporation, has provided such services by operation of a program, called First Steps;

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NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 5<sup>th</sup> day of June, 2001, that the County Administrator be, and he is hereby, authorized to execute a Support Agreement approved as to form by the County Attorney with the Child Development Resources, Inc., for the operation of the First Steps program for the period July 1, 2001 until July 1, 2002.

Item No. 6. TRANSPORTATION AGREEMENT—FIRST STEPS PROGRAM: Resolution R01-51

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE AN AGREEMENT WITH THE YORK COUNTY SCHOOL  
BOARD FOR TRANSPORTATION OF CHILDREN PARTICIPATING IN  
THE FIRST STEPS PROGRAM

WHEREAS, the York County Board of Supervisors has a support agreement with the Child Development Resources, Inc., (CDR) for operation of the "First Steps" program, an early childhood educational and developmental program that is implemented at the Griffin-Yeates Center for children between the ages of 6 weeks and 3 years; and

WHEREAS, according to the terms of the support agreement and for the safety of the children involved, the Board has agreed to arrange with the York County School Board to provide bus transportation for enrolled children between home and the Griffin-Yeates Center for children; and

WHEREAS, costs for such transportation are the responsibility of CDR, Inc., and do not represent additional financial support;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 5<sup>th</sup> day of June, 2001, that the County Administrator be, and he is hereby, authorized to execute for and on behalf of the Board an agreement with the York County School Board, substantially in the same form transmitted to the Board by report of the County Administrator dated May 1, 2001, including necessary amendments thereto, for the provision of transportation of children participating in the CDR, Inc., First Steps program; provided that such agreement and all such amendments shall be approved as to form by the County Attorney.

Item No. 7. PUBLIC SEWER EXTENSION AGREEMENT—CHEYENNE HILLS SUBDIVISION:  
Resolution R01-106

A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE  
COUNTY'S SANITARY SEWER SYSTEM TO A PROPOSED DEVEL-  
OPMENT KNOWN AS THE CHEYENNE HILLS SUBDIVISION, AND  
AUTHORIZING EXECUTION OF THE NECESSARY PUBLIC SEWER  
EXTENSION AGREEMENT

WHEREAS, Bill Duguay has requested that the County enter into a public sewer extension agreement pursuant to § 18.1-53 (b) of the York County Code to serve a residential development to be known as the Cheyenne Hills Subdivision; and

WHEREAS, the plan for the proposed project has been reviewed by the County; and

WHEREAS, prior to final approval of these plans and the initiation of any construction

activity, it is necessary that a determination be made as to whether the Board will authorize the extension of the public sewer facilities of the County to serve the proposed development; and

WHEREAS, it has been determined that sufficient capacity exists in the County's existing sewer system to serve the proposed development, or will exist when the facilities proposed by the developer are constructed; and

WHEREAS, in accordance with the terms of Chapter 18.1 of the York County Code the total connection fee to be paid to the County for the proposed extension to serve this development has been determined to be \$18,750.00;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5<sup>th</sup> day of June, 2001, that the Board approves the extension of the County's public sewer system to serve the proposed development, Cheyenne Hills Subdivision, and that the County Administrator be, and he hereby is, authorized to execute a public sewer extension agreement with Bill Duguay for the proposed extension; such agreement to be approved as to form by the County Attorney.

Item No. 8. STREET ACCEPTANCE—THE GREENLANDS, PHASE ONE: Resolution R01-109

A RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF  
TRANSPORTATION TO INCLUDE STREETS IN THE GREENLANDS,  
PHASE ONE, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the following streets, which are shown on plats recorded in the Clerk's Office of the Circuit Court of York County, have been constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of State Highways; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has inspected these streets and found them to be acceptable for maintenance; and

WHEREAS, the York County Board of Supervisors does hereby guarantee unencumbered rights of way, as described on the following Form SR-5A, plus the necessary easements for cuts, fills, and drainage for these streets;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 5<sup>th</sup> day of June, 2001, that the Virginia Department of Transportation be, and it hereby is, requested to add and maintain the streets described on the following Form SR-5A as part of the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, 1950 amended, and the regulatory requirements of VDOT.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of The Greenlands, Phase One, and to the Resident Engineer of the Virginia Department of Transportation.

**In the County of York**

By resolution of the governing body adopted June 5, 2001

***The following Form SR-5A is hereby attached and incorporated as part of the governing***

*body's resolution for changes in the secondary system of state highways.*

### Report of Changes in the Secondary System of State Highways

Form SR-5A

Secondary Roads Division 5/1/99

#### Project/Subdivision

**The Greenlands, Phase One**

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition, New subdivision street

Pursuant to Code of Virginia Statute: **§33.1-229**

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#### Route Number and/or Street Name

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##### **Jonathan Junction, State Route Number 1695**

*Description:* **From:** Route 1665 (Tristen Drive)  
**To:** West to existing Route 1695 (Jonathan Junction)  
A distance of: 0.03 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 05/06/1999, Plat Book 12, Pages 690-696, with a width of 50 ft.

##### **Long Green Boulevard, State Route Number 1659**

*Description:* **From:** Route 134 (Hampton Highway)  
**To:** Southwest to intersection of Route 1665 (Tristen Drive)  
A distance of: 0.18 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 05/06/1999, Plat Book 12, Pages 690-696, with a width of 80 ft.

##### **Malcolm Court, State Route Number 1666**

*Description:* **From:** Route 1665 (Tristen Drive)  
**To:** East to end of cul-de-sac  
A distance of: 0.08 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 05/06/1999, Plat Book 12, Pages 690-696, with a width of 50 ft.

##### **Quincy Court, State Route Number 1667**

*Description:* **From:** Route 1665 (Tristen Drive)  
**To:** East to end of cul-de-sac  
A distance of: 0.04 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on

05/06/1999, Plat Book 12, Pages 690-696 with a width of 50 ft.

**Tristen Drive, State Route Number 1665**

*Description:*      **From:** Route 1659 (Long Green Boulevard)  
                                  **To:** North to intersection of Route 1695 (Jonathan Junction)  
                                  A distance of: 0.22 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 05/06/1999, Plat Book 12, Pages 690-696 with a width of 50 ft.

*Description:*      **From:** Intersection of Route 1695 (Jonathan Junction)  
                                  **To:** North to intersection of Route 1667 (Quincy Court)  
                                  A distance of: 0.06 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 05/06/1999, Plat Book 12, Pages 690-696, with a width of 50 ft.

*Description:*      **From:** Intersection of Route 1667 (Quincy Court)  
                                  **To:** North to end of cul-de-sac  
                                  A distance of: 0.06 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 05/06/1999, Plat Book 12, Pages 690-696, with a width of 50 ft.

Item No. 9. STREET ACCEPTANCE—FOXWOOD, SECTION 2: Resolution R01-110

A RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE STREETS IN FOXWOOD, SECTION TWO, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the following streets, which are shown on a plat recorded in the Clerk's Office of the Circuit Court of York County, have been constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of State Highways; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has inspected these streets and found them to be acceptable for maintenance; and

WHEREAS, the York County Board of Supervisors does hereby guarantee unencumbered rights of way, as described on the following Form SR-5A, plus the necessary easements for cuts, fills, and drainage for these streets;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 5<sup>th</sup> day of June, 2001, that the Virginia Department of Transportation be, and it hereby is, requested to add and maintain the streets described on the following Form SR-5A as part of the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, 1950 amended, and the regulatory requirements of VDOT.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of Foxwood, Section Two, and to the Resident Engineer of the Virginia Department of Transportation.

**In the County of York**

By resolution of the governing body adopted June 5, 2001

***The following Form SR-5A is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.***

**Report of Changes in the Secondary System of State Highways**

Form SR-5A

Secondary Roads Division 5/1/99

**Project/Subdivision**

**Foxwood, Section Two**

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition, New subdivision street

Pursuant to Code of Virginia Statute: **§33.1-229**

**Route Number and/or Street Name****Hounds Chase, State Route Number 1481**

*Description:* **From:** Route 1484 (Hedgerow Lane)  
**To:** Southwest to intersection of Route 1485 (Tallyho Drive)

A distance of: 0.08 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 03/09/2000, Plat Book 13, Pages 96-98, with a width of 50 ft.

*Description:* **From:** Intersection of Route 1485 (Tallyho Drive)  
**To:** Southwest to end of cul-de-sac  
 A distance of: 0.05 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 03/09/2000, Plat Book 13, Pages 96-98, with a width of 50 ft.

**Pinyon Pines, State Route Number 1486**

*Description:* **From:** Intersection of Route 1485 (Tallyho Drive)  
**To:** West to intersection of Route 1487 (Vixen Court)  
 A distance of: 0.05 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 03/09/2000, Plat Book 13, Pages 96-98, with a width of 50 ft.

**Tallyho Drive, State Route Number 1485**

*Description:* **From:** Route 1481 (Hounds Chase)  
**To:** Northwest to intersection of Route 1486 (Pinyon



Pines)

A distance of: 0.11 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 03/09/2000, Plat Book 13, Pages 96-98, with a width of 50 ft.

**Vixen Court (north), State Route Number 1487**

*Description:* **From:** Intersection of Route 1486 (Pinyon Pines)  
**To:** North to end of cul-de-sac  
 A distance of: 0.04 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 03/09/2000, Plat Book 13, Pages 96-98, with a width of 50 ft.

**Vixen Court (south), State Route Number 1487**

*Description:* **From:** Intersection of Route 1486 ( Pinyon Pines)  
**To:** South to end of cul-de-sac  
 A distance of: 0.05 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 03/09/2000, Plat Book 13, Pages 96-98, with a width of 50 ft.

Item No. 11. DIRT STREET PROGRAM—RUSSELL LANE AND KAY LANE: Resolution R01-48

A RESOLUTION TO DIRECT THE COUNTY ADMINISTRATOR TO PROCEED WITH THE SOLICITATION OF BIDS FOR COUNTY-FUNDED IMPROVEMENTS TO RUSSELL LANE, INCLUDING ALL STREET AND UTILITY WORK NECESSARY FOR SUBSEQUENT ACCEPTANCE BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) UNDER THE SUBDIVISION STREET ADDITIONS PROGRAM

WHEREAS, the County has established the "Dirt Street Program" to upgrade unimproved private streets to the extent necessary for acceptance by VDOT into the State Secondary Road System; and

WHEREAS, Russell Lane and Kay Lane have been selected as existing unimproved streets that could be upgraded under this program; and

WHEREAS, Russell Lane is currently listed in the approved Secondary System Construction Program (Project # 8000-5601); and

WHEREAS, the County and VDOT have now agreed that improvements to both Russell and Kay Lanes could be accomplished more expeditiously by the County assuming responsibility for Russell Lane as if it were a subdivision street addition and by VDOT assuming full fiscal responsibility for the Kay Lane improvements under the Rural Additions Program; and

WHEREAS, the County staff has completed all necessary design and construction documents and is prepared to solicit bids for the County-funded construction of Russell Lane; and

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5<sup>th</sup> day of June, 2001, that the County Administrator be and is hereby authorized to proceed with

June 5, 2001

the solicitation of bids to construct County-funded improvements to Russell Lane for later transfer to VDOT under the Subdivision Street Additions program.

Item No. 10. EXPENDITURE FOR PRIMARY ELECTION: Proposed Resolution R01-95 (Removed from Consent Calendar)

Mr. Zaremba stated he would like the public to know that this action was a part of the electoral process, and the governing bodies were requested to provide this expenditure regardless of the party involved. He then moved the adoption of proposed Resolution R01-95 that reads:

A RESOLUTION TO AUTHORIZE THE EXPENDITURE OF \$11,000 TO COVER THE COST OF THE PRIMARY ELECTION FOR THE PURPOSE OF NOMINATING CANDIDATES OF THE DEMOCRATIC PARTY FOR THE LIEUTENANT GOVERNOR AND ATTORNEY GENERAL OF THE COMMONWEALTH OF VIRGINIA

WHEREAS, the Commonwealth of Virginia State Board of Elections has notified the County Electoral Board of the need to hold a primary election for the purpose of nominating candidates of the Democratic Party for Lieutenant Governor and Attorney General of the Commonwealth of Virginia; and

WHEREAS, pursuant to Section 24.2-517 of the Code of Virginia, a primary election will be held in the County on Tuesday, June 12, 2001; and

WHEREAS, for Fiscal Year 2001, the Electoral Board's budget had adequate funding for the two elections previously held: the General Election on November 7, 2000, and the special election for the 96<sup>th</sup> House of Delegates on December 19, 2000; and

WHEREAS, to ensure compliance with the requirement of the third election, the Electoral Board is requesting funding of \$11,000, which is available in the Contingency Reserve, to cover the costs of the payments for the officers of election, programming of the voting machines, printing of ballots, and other miscellaneous election costs;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5<sup>th</sup> day of June, 2001, that the expenditure of \$11,000 requested by the Electoral Board be, and hereby is, approved from Contingency Reserve to cover the cost of the primary election for the purpose of nominating candidates of the Democratic Party for Lieutenant Governor and Attorney General of the Commonwealth of Virginia.

On roll call the vote was:

Yea: (5) Ashe, Zaremba, Noll, Wiggins, Burgett  
Nay: (0)

## **NEW BUSINESS**

### **INDUSTRIAL DEVELOPMENT BOND FINANCING FOR YMCA**

Mr. McReynolds made a brief presentation explaining the purpose of proposed Resolution R01-115 to approve the issuance of Industrial Development Revenue Bonds by the Industrial Devel-

opment Authority (IDA) of the City of Poquoson for the benefit of the Peninsula Metropolitan YMCA.

Chairman Burgett asked Mr. Noel to explain why the York County IDA was not issuing the bonds.

Mr. James Noel, Director of Economic Development, stated the York County IDA held a public hearing on this matter to authorize the City of Poquoson's IDA to issue the bonds. He stated he first spoke with the YMCA about the York County IDA doing the bonds for the YMCA, but the County decided to reserve its bonding capacity for other projects such as the Yorktown Waterfront. He stated it was acceptable for the IDAs of other localities to issue bonds as long as the York County IDA conducted a public hearing. Mr. Noel stated Poquoson was not using its bonding capacity this year, and it agreed to do this project for the YMCA.

Mr. Zaremba asked Mr. Carroll when the ground would be broken on the community center.

Mr. Danny Carroll, Director of the Peninsula Metropolitan YMCA, stated if the site plan was approved, the ground would be broken in September, and the project should be completed within 12 months, weather permitting.

Mr. Wiggins then moved the adoption of proposed Resolution R01-115 that reads:

A RESOLUTION TO APPROVE THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$10,000,000 BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF POQUOSON FOR THE BENEFIT OF THE PENINSULA METROPOLITAN YMCA, A VIRGINIA NON-PROFIT 501 (c) (3) CORPORATION

WHEREAS, the Industrial Development Authority of York County (the "Authority") has considered the application of Peninsula Metropolitan YMCA, a Virginia non-profit 501(c)(3) corporation (the "Borrower"), to the Industrial Development Authority of the City of Poquoson (the "Issuer") for the issuance of the Issuer's industrial development revenue bonds in an amount not to exceed \$10,000,000 (the "Bonds"), for the acquisition, construction renovation and equipping of three family recreational facilities (collectively, the "Projects") to be located at 7827 Warwick Boulevard in the City of Newport News, Virginia; 1200 Hampton Highway in York County, Virginia; and 259 James Street in Isle of Wight County, Virginia, and has held a public hearing thereon on May 2, 2001; and

WHEREAS, the Authority has requested the Board of Supervisors of York County, Virginia (the "County") to approve the issuance of the Bonds by the Issuer to comply with Section 147(f)(2) of the Internal Revenue Code of 1986, as amended, and proposed final Treasury regulations issued thereunder; and

WHEREAS, a copy of the Issuer's resolution approving the issuance of the Bonds, and a copy of the Authority's resolution recommending approval of the Bonds by the Board of Supervisors subject to terms to be agreed upon, and a record of the public hearings held thereon has been filed with the County Executive;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 5<sup>th</sup> day of June, 2001:

1. The Board of Supervisors of York County, Virginia, approves the issuance of the Bonds by the Issuer for the benefit of the Borrower, to the extent of and as required by Section 147(f)(2) of the Internal Revenue Code.
2. The approval of the issuance of the Bonds, as required by Section 147(f)(2) of the Internal Revenue Code, does not constitute an endorsement of the Bonds or the creditworthiness of the Borrower, and the Bonds shall provide that neither the County, the City of Poquoson, the Authority nor the Issuer shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor, and neither the faith or credit nor the taxing power of the Commonwealth, the County, the City of Poquoson, the Authority or the Issuer shall be pledged thereto.
3. This Resolution shall take effect immediately upon its adoption.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Ashe, Burgett  
Nay: (0)

#### SIX-YEAR PRIMARY ROAD CONSTRUCTION PROGRAM

Mr. McReynolds made a presentation on proposed Resolution R01-113 to recommend a project priority listing for certain Interstate, National Highway System, Surface Transportation Program, and Primary Highway Projects.

Discussion followed concerning VDOT funding that was originally budgeted for the Route 17 north of Fort Eustis Boulevard project being reallocated for the Route 17 south of Fort Eustis Boulevard project.

Mr. Ashe asked if the improvements to Route 17 south of Harwoods Mill were requested by the County.

Mr. Carter stated it was money that Mr. Elliott was able to identify for repaving. The County put in \$200,000 of Revenue Sharing money, but the bulk came from other sources identified by Mr. Elliott.

Mr. Ashe stated he would volunteer his time to attend the Preallocation Hearing on July 12.

Mr. Zaremba questioned the meaning of the Interstate 64 item on page 2 of the proposed resolution. He asked what stretch of road was being discussed.

After discussion, the Board by consensus agreed to allow staff to amend the language to clarify the exact location of the projects identified in the proposed resolution.

Mr. Ashe then moved the adoption of proposed Resolution R01-113(R) that reads:

A RESOLUTION TO RECOMMEND A PROJECT PRIORITY LISTING  
FOR CERTAIN INTERSTATE, NATIONAL HIGHWAY SYSTEM, SUR-  
FACE TRANSPORTATION PROGRAM, AND PRIMARY HIGHWAY PRO-  
JECTS

WHEREAS, the Commonwealth Transportation Board will hold a series of pre-allocation hearings across the Commonwealth for the purpose of soliciting comments and recommendations from local jurisdictions concerning necessary highway improvements and the distribution of Interstate, Primary, Urban, National Highway System (NHS), Surface Transportation Program (STP), and Congestion Mitigation and Air Quality Program (CMAQ) funds; and

WHEREAS, York County and its representatives have participated in a spirit of close cooperation with the Transportation Board, the Commissioner and the Department of Transportation in furtherance of mutual transportation objectives; and

WHEREAS, the Transportation Board has previously approved and scheduled construction of various improvements to the interstate and primary systems in and around York County; and

WHEREAS, the York County Planning Commission has reviewed the proposed program of projects and priorities, recommends its approval, and, as required by Section 15.2-2232 of the Code of Virginia, has found that the projects recommended herein are in conformance with the York County Comprehensive Plan, Charting the Course to 2015; and

WHEREAS, the Board has given due consideration to the recommendations of the Planning Commission, the citizens of the County, and the York County Comprehensive Plan with respect to the necessary improvements to the Interstate, NHS, STP, Primary, and other transportation system components;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 5<sup>th</sup> day of June, 2001, that it does hereby adopt the following recommended program of projects and priorities within the transportation system components listed:

#### **Interstate System**

1. Interstate 64 – widen to 6 lanes between the Route 143 (east) interchange and the Route 105 interchange utilizing a design that will accommodate the ultimate design of 8 lanes (6 general purpose lanes and 2 high-occupancy vehicle lanes) between the Interstate 664/64 interchange in Hampton and the Route 199 (east) interchange in York County, in accordance with the I-64 Major Investment Study. Included should be early deployment of Intelligent Transportation Systems (ITS) technology along the Interstate corridor.

#### **National Highway System**

1. Route 17 – widen to 6 lanes and reconstruct intersections between Route 171 (Victory Boulevard) and Route 173 (Denbigh Boulevard/Goodwin Neck Road) in accordance with the recommendations and priorities established in the Route 17 Corridor Improvements Study, as verified by the Hampton Roads Planning District Commission in 1994, and taking into account the priorities recommended by the County in connection with any cost savings realized by redefining the scope of the already funded widening project north of Route 105.

#### **Surface Transportation Program**

1. Route 238/Baptist Road Intersection Improvements – channelize intersection, provide positive drainage and improve riding surface through this intersection which also serves

as the main entrance to the Yorktown Naval Weapons Station. This project is also eligible under NHS criteria.

State Primary System

1. Route 171 - widen to 6 lanes divided between Route 17 and Route 134.
2. Route 171 - widen to 4 lanes divided between Big Bethel Road (Route 600) and the Poquoson city line, providing turn lanes at intersections.
3. Route 171 - widen to 4 lanes divided between Route 134 and Big Bethel Road (Route 600), providing turn lanes at intersections.

BE IT FURTHER RESOLVED that the York County Board of Supervisors reiterates its request that the scope of the already funded Route 17 widening project north of Route 105 be re-defined and scaled back and that the resultant cost savings be allocated to funding much-needed improvements to the more heavily-congested southern segments of Route 17 (Route 171 to Route 173), and that a project for said improvements be established as a part of the Six-Year Transportation Development Plan.

BE IT STILL FURTHER RESOLVED that the Board of Supervisors reiterates its support for the expeditious construction of the Route 105 (Fort Eustis Boulevard) extension between Route 17 and Route 173, as already funded and programmed.

BE IT STILL FURTHER RESOLVED that the Board of Supervisors strongly encourages the Commonwealth Transportation Board to consider the needs of, and where appropriate include accommodations for, pedestrians, bicycles, passenger rail and transit within all roadway and transportation project designs.

BE IT STILL FURTHER RESOLVED that the Board of Supervisors strongly encourages the Commonwealth Transportation Board to consider the aesthetics of all transportation projects and to include sufficient funding in all project budgets for appropriate landscaping.

BE IT STILL FURTHER RESOLVED that the County Administrator be, and hereby is, authorized to transmit the information contained in this resolution to the Commonwealth Transportation Board to be entered into the record of the 2001 Pre-Allocation Hearing in the Hampton Roads District as the official position of the York County Board of Supervisors and to forward copies to the Commissioner and all others deemed appropriate.

BE IT STILL FURTHER RESOLVED that the Commonwealth Transportation Board be, and hereby is, commended for its cooperation in attending to those needs identified within York County and its neighboring communities.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Ashe, Zaremba, Burgett  
Nay: (0)

Chairman Burgett stated that in the agenda package he noticed the proposed location for the no wake marker requested by Mr. Holloway was very general. He asked if it would be appropriate to move the marker over so that it would be adjacent to Mr. Holloway's property.

Mr. Carter stated he felt it would be appropriate. He stated Mr. Holloway had proposed the current location hoping that it would stem some of the traffic from the Smith Landing area. He indicated that placing the marker nearer Mr. Holloway's property would address his problem with erosion more specifically.

Chairman Burgett indicated that this request pertained to a sign only and does nothing to prohibit or limit the use of personal watercraft.

Mr. Carter stated there was no attempt to regulate in any way the operation of personal watercraft or motorboats. He stated the sign was simply to deal with the wake situation that is enforced by the Department of Game and Inland Fisheries.

Chairman Burgett noted there had been a lot of discussion this evening about enforcement. He stated in discussing this matter with the County's law enforcement people and personnel from the Department of Game and Inland Fisheries, he felt a way could be found to solve the problem of irresponsible individuals.

Mr. Ashe expressed his agreement with Chairman Burgett, stating he agreed that the sign should be placed approximately 100 feet in front of Mr. Holloway's home that allows for people who live up stream to get home. He noted it was very shallow in that area.

Mr. Carter noted that the key issue was whether a wake is being created and not how fast a boat is going. He stated the greatest wake, according to the study referenced in the material provided by Mr. Holloway, is created by speeds in the mid-range rather than slower or faster speeds.

Discussion followed concerning enforcement.

Mr. Wiggins stated he felt the biggest problem people were having was with jet skis, and it wasn't the wake but noise that was the biggest factor. He stated a lot of the ones who are causing the most problem are kids, and he felt their parents needed to spend more time instructing them on proper operation of the jet skis. He agreed that there was an enforcement problem, and he did not see how the no wake signs were going to help.

Mr. Ashe stated he saw the sign as an opportunity for the property owner to call and get Game and Inland Fisheries out to help him with a remedy.

Mr. Zaremba indicated he sympathized with Mr. Holloway's position, but he felt the arguments about enforcement were the persuasive arguments tonight. He stated he felt the Board needed to put some bite into whatever ordinance was adopted. He questioned the wisdom of granting a request such as this when admittedly the Board has no capability of enforcing it.

Mr. Ashe then moved the adoption of proposed Resolution R01-55(R) that reads:

A RESOLUTION RECOMMENDING THAT THE VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES CREATE A NO WAKE ZONE IN THE POQUOSON RIVER

June 5, 2001

WHEREAS, the Board has received and considered a copy of an application to the Virginia Department of Game and Inland Fisheries (DGIF) from Robert Holloway asking for the creation of a no wake zone in the Poquoson River in the general vicinity of the Rogers L. Smith public boat landing at the end of Tide Mill Road in York County; and

WHEREAS, the Board is of the opinion that the creation of a no wake zone consistent with Mr. Holloway's application is in the public interest;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5th day of June, 2001, that it recommends that the application of Robert Holloway to the Virginia Department of Game and Inland Fisheries be granted, and that a no wake marker be placed in the Poquoson River at a location approximately 100 feet from the shoreline of Mr. Holloway's property.

On roll call the vote was:

Yea: (2) Ashe, Burgett  
Nay: (3) Wiggins, Zaremba, Noll

#### HISTORICAL COMMITTEE REQUEST FOR TOURISM FUNDS

Mr. McReynolds made a brief presentation concerning the Historical Committee's request for a \$3,000 contribution for completion of the project to clean and catalog the Chischiak Watch artifacts.

By consensus the Board directed that \$3,000 be provided to the York County Historical Committee for the purpose of completing the project to clean and catalog the Chischiak Watch - artifacts.

**CLOSED MEETING.** At 10:02 p.m. Mr. Wiggins moved that the meeting be convened in Closed Meeting pursuant to Section 2.1-344(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions; Section 2.1-344(a)(3) pertaining to the acquisition of property to be used for a public purpose.

On roll call the vote was:

Yea: (5) Ashe, Zaremba, Noll, Wiggins, Burgett  
Nay: (0)

Meeting Reconvened. At 10:30 p.m. the meeting was reconvened in open session by order of the Chair.

Mrs. Noll moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM  
OF INFORMATION ACT REGARDING MEETING IN CLOSED MEET-  
ING



WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 5th day of June, 2001, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Ashe, Burgett  
Nay: (0)

#### APPOINTMENTS TO THE YORK COUNTY SENIOR CENTER BOARD

Mrs. Noll moved the adoption of proposed resolution R01-114 that reads:

#### A RESOLUTION TO APPOINT SEVEN REPRESENTATIVES TO THE SENIOR CENTER OF YORK BOARD

BE IT RESOLVED by the York County Board of Supervisors this 5<sup>th</sup> day of June, 2001, that the following representatives be, and they are hereby, appointed to the Senior Center of York Board, such terms to begin on July 1, 2001, and expire June 30, 2005:

Flora B. Adams

Dana S. Burgett

John H. Dickens

Grace R. Dickens

Doris J. Eagle

Willie J. McIntosh

Mildred J. Russinko

On roll call the vote was:

Yea: (5) Noll, Wiggins, Ashe, Zaremba, Burgett  
Nay: (0)

June 5, 2001

REAPPOINTMENT TO THE YORK COUNTY WETLANDS BOARD

Mrs. Noll moved the adoption of proposed Resolution R01-107 that reads:

A RESOLUTION TO REAPPOINT A MEMBER OF THE YORK COUNTY  
WETLANDS BOARD

WHEREAS, the term of Roland G. Garrett, Jr., on the York County Wetlands Board expires June 30, 2001; and

WHEREAS, Mr. Garrett has indicated he wishes to be reappointed to the York County Wetlands Board;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 5<sup>th</sup> day of June, 2001, that Roland G. Garrett, Jr., be, and he is hereby, reappointed to the York County Wetlands Board for a term of five years, such term to begin July 1, 2001, and expire on June 30, 2006.

On roll call the vote was:

Yea: (5) Wiggins, Ashe, Zaremba, Noll, Burgett  
Nay: (0)

APPOINTMENTS TO THE INDUSTRIAL DEVELOPMENT AUTHORITY OF YORK COUNTY

Mrs. Noll moved the adoption of proposed Resolution R01-112(R) that reads:

A RESOLUTION TO APPOINT TWO MEMBERS TO THE YORK  
COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

WHEREAS, on June 30, 2001, the terms of Raymond W. Walsh and R. Anderson Moberg on the York County Industrial Development Authority will expire;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 5<sup>th</sup> day of June, 2001, that R. Anderson Moberg be, and he is hereby, reappointed to the York County Industrial Development Authority for a term of four years, such term to begin July 1, 2001, and expire June 30, 2005.

BE IT FURTHER RESOLVED that Leonard R. Miller be, and he is hereby, appointed to the York County Industrial Development Authority for a term of four years, such term to begin July 1, 2001, and expire June 30, 2005.

On roll call the vote was:

Yea: (5) Ashe, Zaremba, Noll, Wiggins, Burgett  
Nay: (0)

APPOINTMENT OF OPERATIONAL MEDICAL DIRECTOR FOR DEPARTMENT OF FIRE AND LIFE  
SAFETY

Mrs. Noll moved the adoption of proposed Resolution R01-118 that reads:

A RESOLUTION TO APPOINT KIMBERLY J. MITCHELL, M.D., TO  
THE POSITION OF OPERATIONAL MEDICAL DIRECTOR FOR THE  
YORK COUNTY DEPARTMENT OF FIRE AND LIFE SAFETY

WHEREAS, the York County Department of Fire and Life Safety is charged by the York County Board of Supervisors with the provision of basic and advanced life support pre-hospital emergency medical care for the citizens and visitors of York County, Virginia; and

WHEREAS, 12VAC5-30 and 12VAC5-30-120 of the Rules and Regulations of the Commonwealth of Virginia, State Board of Health, Governing Emergency Medical Services (EMS) mandates that all EMS agencies which provide basic and advanced life support services shall be required to have an Operational Medical Director in order to provide the necessary medical control; and

WHEREAS, continuing to provide state-of-the-art emergency medical services is in the best interest of the citizens and visitors of York County, Virginia;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5<sup>th</sup> day of June, 2001, that in considering the recommendations of the County Administrator and the Fire Chief Kimberly J. Mitchell, M.D., A.B.E.M., be and hereby is appointed to serve as Operational Medical Director for the York County Department of Fire and Life Safety.

BE IT FURTHER RESOLVED that Dr. Mitchell shall carry out the duties required of that office under state law and shall be afforded the cooperation, respect, title and privileges corresponding to the responsibilities assumed with her appointment as Operational Medical Director.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Ashe, Burgett  
Nay: (0)

APPOINTMENTS TO THE YORK COUNTY PLANNING COMMISSION

Mrs. Noll moved the adoption of proposed Resolution R01-120 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE YORK COUNTY  
PLANNING COMMISSION TO REPRESENT ELECTION DISTRICTS 1  
AND 2

WHEREAS, the terms of Andrew A. Simasek (District 1) and Spencer W. Semmes (District 2) will expire June 30, 2001; and

WHEREAS, the Board has carefully reviewed the qualifications of all eligible applicants for these two appointments;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5<sup>th</sup> day of June, 2001, that the following appointments are made to the York County Planning Commission to commence July 1, 2001 and expire June 30, 2005.

June 5, 2001

Spencer W. Semmes - Election District 1

Andrew A. Simasek - Election District 2

On roll call the vote was:

Yea: (5) Noll, Wiggins, Ashe, Zaremba, Burgett  
Nay: (0)

Meeting Adjourned. At 10:45 p.m. Chairman Burgett declared the meeting adjourned to 9:00 a.m., Saturday, June 9, 2001, in the Resolution Room, Holiday Inn 1776, for the purpose of conducting a retreat.

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James O. McReynolds, Clerk  
York County Board of Supervisors

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James S. Burgett, Chairman  
York County Board of Supervisors